

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

VENTURE INDUSTRIES CORPORATION,
VEMCO, INC., PATENT HOLDING COMPANY,
and LARRY J. WINGET,

Plaintiffs,

v.

AUTOLIV, ASP. INC., AUTOLIV, INC.,
and MORTON INTERNATIONAL, INC.

Defendants.

Case No. 99-CV-75354

HONORABLE AVERN COHN

**ORDER DENYING PLAINTIFFS' MOTION
TO INCREASE APPEAL BOND REQUIREMENTS**

This is a contract dispute tried to a jury. On December 4, 2003, the jury found in favor of plaintiffs in the amount of \$27,576,001.00. Defendant filed a timely appeal. On February 4, 2004, the Court ordered defendant to post an appeal bond in the amount of the judgment in the form of a letter of credit. The defendant did so. On March 4, 2004, the Court stayed execution of the judgment pending appeal. On April 7, 2004, the Court amended the judgment to include an award of pre-judgment interest accrued in the amount of \$5,878,972 and \$13,161.84 in costs.

Before the Court is plaintiffs' motion to increase the appeal bond requirements on the grounds that an additional \$2,508,612 in pre-judgment has accumulated, bringing the total amount of the judgment to \$35,963,585. Plaintiffs say that the current letter of credit is insufficient and therefore asks that defendant be required to secure a revised letter of credit in the amount. Defendant opposes the motion on several grounds.

There is nothing in the record to suggest defendant will not be in a position to satisfy the judgment in the event its appeal is rejected. The current letter of credit is sufficient security to assure payment of the judgment if it is affirmed on appeal. Accordingly, the motion is DENIED.

SO ORDERED.

Dated: August 30, 2005

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was sent to counsel of record on this date, August 30, 2005, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160